

Charlottesville Division

AUG 16 2022

Sines, et al, Plaintiffs vs.

Kessler, et al, Defendants

Civil Action 3:17-cv-00072

JULIA C. DUDLEY, CLERK
BY: DEPUTY CLERK

SWORN SWORN DECLARATION OF CHRISTOPHER CANTWELL DATED

JULY 25th 2022

I, Christopher Cantwell, do aver under penalty of perjury, that the following is true and correct on this 25th day of July, 2022.

1.) At mail call on 6-15-2022, I gave Mr. Simpkins an envelope with 2 motions and a declaration, all dated 6-14-2022, and totalling 6 pages.

2.) Prior to 6-24-2022, I gave Mr. Simpkins an envelope addressed to the B.O.P. Regional Director asking why I had not received acknowledgment of receipt for the Administrative Remedy forms I sent back at the beginning of May, per the instructions of the Central Office.

3.) On July 1st, 2022, a notice was posted on my housing unit that typing wheels were back in stock. This was the day after we had already submitted that week's commissary orders.

4.) On 7-3-2022 I composed a letter to the Court.

5.) At mail call on 7-5-2022 I gave Mr. Simpkins my 7-3-22 letter to the Court, and Mr. Simpkins gave me a motion from Elmer Woodard in a separate case that was expected to be delivered on 6-21-2022, and his replies to two Administrative Remedy BP-8 forms I submitted on 6-8-2022.

6.) On my 6-8 BP-8 asking for certified mail slips, and postage reimbursement, Mr. Simpkins said "These are supplied to us via

7.) I remain doubtful that this FEDERAL facility cannot acquire 10 certified mail slips in a period of several months.

8.) On my BP-8 requesting a typing wheel, Mr. Simpkins said "These have not been available to us, but when they are we will offer them for purchase." He dated this response 7-5-2022. (Recall paragraph 3.)

9.) On 7-5-2022 I filled oput the BP-9 form to escalate my certified mail complaint.

10.) Mr. Simpkins was not present for mail call on 7-6-2022.

11.) At mail call on 7-7-2022 I gave Ms. Hill the BP-9 for the certified mail issue.

12.) At mail call on 7-8-2022 I gave Ms. Hill my commissary order for a typing wheel.

13.) At mail call on 7-8-2022 Ms. Hill gave me receipts from the Regional Office for the Administrative Remedy procedures I had sent there at the beginning of May, which included my long running complaint about having my legal documents kept from me. Also included was a notice of "Extension of Time For Response". The notices were dated July 8th, but acknowledged receipt by May 16th, and extended response time to July 15th.

14. On my commissary receipt dated 7-11-2022, I was charged \$4.35 for a typing RIBBON - contrary to my order for a typing WHEEL - AGAIN. A typing ribbon is useless without a typing wheel, and is thus not conceivably a suitable substitute for the typing wheel I ordered per the July 1st notice of paragraph 3.

15.) On 7-11-2022 I filled out the BP-9 to follow up on my BP-8

regarding the typing wheel issue, and I put in an electronic staff request to commissary. I subsequently gave the BP-9 to Mr. Simpkins the same day.

16.) As I gave Mr. Simpkins the BP-9, and stated what it was about, another prisoner, having overheard the issue, said the commissary sold him a typing wheel on the same order.

17.) When commissary was delivered on 7-12-2022, I returned the typing ribbon, and asked the officer if typing wheels were in stock. He said no.

18.) The prisoner of paragraph 16 is Kaleb Cole, and on 7-13-2022 I asked him if I could get a copy of his commissary receipt for this filing. When he gave it to me, I noticed that my order was processed several minutes before his.

19.) On 7-13-2022 I received a response to my electronic staff request to commissary. In mockery of my statement that I was filling out the BP-9 escalation, I was told "Threats will get you nowhere" and the writer stated they "personally" sold typing ribbons to others on this unit, while simultaneously disclaiming any responsibility by saying inmates processed orders.

20.) On my commissary order submitted 7-14-2022, I ordered a typing wheel and wrote on the sheet ""WHEEL ONLY - NO SUBS".

21.) On my commissary order processed on 7-18-2022, after more than a year of waiting, at least four written requests, dozens of orders, and two levels of Administrative Remedy escalation, I was finally sold a typing wheel for \$23.75.

22.) On 7-20-2022, my section of the Communications Management

Unit was cleared for a cell search or "shakedown". During the shakedown, all inmates were made to wait in the programs area, and were thus unable to observe what happened on the unit.

23.) When we were able to return to the unit, my property, including my legal papers, were in disarray. While the volume of my legal papers is so vast that I could not possibly attempt to determine their completeness, I did observe that no fewer than 8 pages of non-legal handwritten notes had been removed from my cell.

24.) On 7-21-2022, I submitted an electronic staff request to Mr. Simpkins requesting an inventory of what papers were taken from me, an explanation of why they were taken, and an accounting of what became of the documents.

25.) Subsequent to submitting the above mentioned request, I saw Ms. Hill at mail call and asked her about the issue. She told me that anything taken from my cell would be in with "your property" and indicated toward the Secure Housing Unit (SHU). She also indicated there would be some sort of receipt for what was taken, and that I could inspect these by speaking to Mr. Simpkins.

26.) I subsequently did speak to Mr. Simpkins, and he did retrieve the property from the SHU. But all that was included were books. There were no documents, no indication of what documents were taken, or why, and Mr. Simpkins had no idea what I was talking about.

27.) On 7-22-2022, I created another electronic staff request to memorialize my verbal interactions with Hill and Simpkins, and reiterate my concerns about government interference in this

litigation.

28.) As of 7-25-2022, I have not received a response to their administrative remedy regarding my legal mail, which was supposed to be responded to by 7-15-2022.

True

Having so averred, I sayeth no more, under oath.

Respectfully Submitted,

Christopher Cantwell

July 25th 2022

x C. Cantwell

Attachment A

Typewriter
6-8-22Administrative Remedy - Informal Resolution
Marion, IllinoisInmate's Name CarlwellReg No. 00991-507Unit IDate 6-8-22

NOTICE You are advised that prior to filing a Request for Administrative Remedy (BP-9), you MUST attempt to informally resolve your complaint through your counselor. Please follow the three (3) steps listed below:

1. State your specific complaint:

For over a year, the commissary has been out of stock on typing wheels.

Without a typing wheel, one cannot use the typewriter.

Commissary has no indication typing wheels will ever be restocked.

2. State what efforts you have made to informally resolve your complaint:

I have filled out dozens of commissary orders requesting a typing wheel. Put in at least 3 or 4 ours asked multiple staff members, and waited patiently for over a year.

3. State what resolution you request:

Restock typing wheels or get new typewriters.

Take seriously the needs of pre-sc litigants.

Inmate's Signature: C. CarlwellDate: 6-8-22

4. Correctional Counselor's Comments (Steps to Resolve):

There have not been available to us, but when they are we will offer them to purchase.

Counselor's Signature: N.S.GKSDate: 7-5-22

Unit Manager's Review: _____

Date: _____

	Received by Counselor from inmate	Attempted informal with inmate by Counselor	BP-9 given to inmate	BP-9 Delivered to Admin Remedy Clerk
Date			<u>7-5-22</u>	
Time				
Counselor			<u>N.S.</u>	

Attachment A
MC
Step
GKAdministrative Remedy - Informal Resolution
Marion, IllinoisInmate's Name CentwellReg No. 08991-509 Unit IDate 6-8-22

NOTICE You are advised that prior to filing a Request for Administrative Remedy (BP-9), you MUST attempt to informally resolve your complaint through your counselor. Please follow the three (3) steps listed below.

1. State your specific complaint

FOR OVER 2 months I have been unable to obtain certified mail slips from staff. This presents a major problem for me as a pro se litigant.

The last time I had certified mail to send I paid for certified postage and gave it to Simpkins but he didn't send it certified.

2.

State what efforts you have made to informally resolve your complaint

Patiently for two months and sent my correspondence un-certified and put it in a cop out and spoken to Hill and Simpkins.

3.

State what resolution you request Provide me with 10 certified mail slips.

Reimburse me 6 forever stamps.
Keep certified mail slips available.

Take seriously the needs of inmate litigants.

Inmate's Signature: L. CentwellDate: 6-8-224.

Correctional Counselor's Comments (Steps to Resolve): These are supplied to us via the local post office. We are at their mercy for receiving them.

Counselor's Signature: N.SeggsDate: 7-5-22

Unit Manager's Review: _____

Date: _____

	Received by Counselor from inmate	Attempted informal with inmate by Counselor	BP-9 given to inmate	BP-9 Delivered to Admin Remedy Clerk
Date			7-5-22	
Time				
Counselor			NS	

U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons

REQUEST FOR ADMINISTRATIVE REMEDY

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: Cantwell, Christopher C REG. NO. 00991-509 I UNIT MAR
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

I've been trying to obtain certified mail slips since April.

Mr. Simpkins says this Federal Government facility is incapable of providing them.

I am skeptical of this claim.

Please provide me with certified mail slips.

7-5-2022

DATE

C Cantwell

SIGNATURE OF REQUESTER

Part B- RESPONSE

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER:

Part C- RECEIPT

Return to:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT:

CASE NUMBER:

RECEIPT - ADMINISTRATIVE REMEDY

DATE: JULY 8, 2022

FROM: ADMINISTRATIVE REMEDY COORDINATOR
NORTH CENTRAL REGIONAL OFFICE

TO : CHRISTOPHER CANTWELL, 00991-509
MARION USP UNT: I QTR: I03-013L

THIS ACKNOWLEDGES THE RECEIPT OF THE REGIONAL APPEAL
IDENTIFIED BELOW:

REMEDY ID : 1096954-R2
DATE RECEIVED : MAY 16, 2022
RESPONSE DUE : JULY 15, 2022
SUBJECT 1 : COMMUNICATION MANAGEMENT UNIT
SUBJECT 2 : OTHER LEGAL

EXTENSION OF TIME FOR RESPONSE - ADMINISTRATIVE REMEDY

DATE: JULY 8, 2022

FROM: ADMINISTRATIVE REMEDY COORDINATOR
NORTH CENTRAL REGIONAL OFFICE

TO : CHRISTOPHER CANTWELL, 00991-509
MARION USP UNT: I QTR: I03-013L

ADDITIONAL TIME IS NEEDED TO RESPOND TO THE REGIONAL APPEAL IDENTIFIED BELOW. WE ARE EXTENDING THE TIME FOR RESPONSE AS PROVIDED FOR IN THE ADMINISTRATIVE REMEDY PROGRAM STATEMENT.

REMEDY ID : 1096954-R2
DATE RECEIVED : MAY 16, 2022
RESPONSE DUE : JULY 15, 2022
SUBJECT 1 : COMMUNICATION MANAGEMENT UNIT
SUBJECT 2 : OTHER LEGAL

SALES INVOICE --Personal Inmate Information --

30738

Marion USP

MAIN

ACCOUNT No. 00991509

TF10102

CANTWELL, CHRISTOPHER

07/11/22 Time 10:56:15 

TX ID 4524472

Receipt# 103

BEGINNING BALANCES:

Available Balance is N/A

Spending Limit Balance is N/A

Account Balance is \$64.55

QTY	DESCRIPTION	PRICE
1	DATA PRD R7310 RIBBON	\$4.35
	# ITEMS SOLD: 1	
	CHARGE 00991509	\$4.35

ENDING BALANCES:

Available Balance is N/A

Spending Limit Balance is N/A

Account Balance is \$60.20

Signature

SALES INVOICE ---Personal Inmate Information ---

30739

Marion USP

MAIN

ACCOUNT No. 13964579

TF10102

COLE, KALEB J

07/11/22 Time 11:00:36

TX ID 4524481

Receipt# 107

BEGINNING BALANCES:

Available Balance is N/A

Spending Limit Balance is N/A

Account Balance is \$1348.90

QTY	DESCRIPTION	PRICE
2	***CHOCOLATE CREAM COOKIES	\$5.30
1	5OZ DUPLEX COOKIE	\$1.25
1	BUTTER POPCORN	\$1.75
1	CPS COPY SVC CARD	\$5.85
1	DATA PRD R7310 RIBBON	\$4.35
1	ONION RINGS	\$1.55
1	SHREDDED CHICKEN	\$4.75
1	SWISS CAKE ROLLS 12 CT	\$2.40
1	TYPEWRITER WHEEL	\$23.75
# ITEMS SOLD: 10		
CHARGE 13964579		\$50.95

ENDING BALANCES:

Available Balance is N/A

Spending Limit Balance is N/A

Account Balance is \$1348.90

Signature

U.S. DEPARTMENT OF JUSTICE

Federal Bureau of Prisons

REQUEST FOR ADMINISTRATIVE REMEDY

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From:

Cantrell, Christopher, C 00991-S09 I MAR

LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

I have been trying to buy a Typing Wheel for over a year, need this because without it the typewriters do not work and as you can see, my handwriting is ill suited for legal filings, and I am a pro se Defendant in a civil lawsuit. After filing the BP-8, a notice was posted to the Un. on July 1st saying Typing Wheels were back in stock. I ordered one, but on my July 11th receipt it had been sold a Typing RIBBON instead, which is useless without the wheel.

Please either sell me a Typing Wheel or replace the typewriter and take seriously the needs of inmate litigants

7-11-2022
DATE

SIGNATURE OF REQUESTER

C. Gandy

Part B- RESPONSE

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: _____

Part C- RECEIPT

Return to:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT: _____

CASE NUMBER: _____

TRULINCS 00991509 - CANTWELL, CHRISTOPHER - Unit: MAR-I-A

FROM: 00991509

TO: CMU

SUBJECT: ***Request to Staff*** CANTWELL, CHRISTOPHER, Reg# 00991509, MAR-I-A

DATE: 07/11/2022 11:27:15 AM

To: Commissary

Inmate Work Assignment: None

On July 1st I saw a notice posted that typing wheels were back in stock. I ordered a typing wheel on my next order, and today I see that I was charged for a typing RIBBON - AGAIN! I can't use a ribbon without a wheel!

I have been trying to buy this thing for over a year, and the typewriters are paperweights without the item. I am a pro se defendant in a civil lawsuit and you people have completely screwed me, and I don't suspect for a second you have done so by accident.

I already put in a BP-8 with Simpkins over this, and today I am moving to a BP-9. This is criminal!

TRULINCS 00991509 - CANTWELL, CHRISTOPHER - Unit: MAR-I-A

FROM: CMU
TO: 00991509
SUBJECT: RE:***Inmate to Staff Message***
DATE: 07/13/2022 01:42:02 PM

Threats get you nowhere, keep that in mind! And remember inmates pick your order not staff. Maybe if you would write on the form in bigger letters wheel not ribbon they would catch it like many other things are written). I know others in your unit received them because I personally sold it to them.

Inmate Message Below

On July 1st I saw a notice posted that typing wheels were back in stock. I ordered a typing wheel on my next order, and today I see that I was charged for a typing RIBBON - AGAIN! I can't use a ribbon without a wheel!

I have been trying to buy this thing for over a year, and the typewriters are paperweights without the item. I am a pro se defendant in a civil lawsuit and you people have completely screwed me, and I don't suspect for a second you have done so by accident.

I already put in a BP-8 with Simpkins over this, and today I am moving to a BP-9. This is criminal!

TRULINCS 00991509 - CANTWELL, CHRISTOPHER - Unit: MAR-I-A

FROM: 00991509

TO: CMU

SUBJECT: ***Request to Staff*** CANTWELL, CHRISTOPHER, Reg# 00991509, MAR-I-A

DATE: 07/21/2022 09:40:41 AM

To: Simpkins

Inmate Work Assignment: None

As I went about assessing the damage from yesterday's shakedown, I realized that a couple of pages of handwritten notes of little consequence had been taken from inside my locker. One contained an email address, the other a schedule of radio programming.

These are not by themselves that big a deal, but it raises the question of what else was taken, since swiping my notes from my locker stands out, but the giant stacks of other paper are more difficult to inventory. Much of those papers pertain to two ongoing cases, my criminal appeal and the high profile, politically charged civil matter CMU has made every effort to sabotage.

To clarify, I am talking about papers from inside the locker. Not the 6 sheets of paper taken down from the walls and locker doors.

I'd like an inventory of what papers were taken from me, the reason for their being taken, and whatever information you can provide of the fate of those papers.

Thank you.

TRULINCS 00991509 - CANTWELL, CHRISTOPHER - Unit: MAR-I-A

FROM: 00991509

TO: CMU

SUBJECT: ***Request to Staff*** CANTWELL, CHRISTOPHER, Reg# 00991509, MAR-I-A

DATE: 07/22/2022 01:37:46 PM

To: Hill and Simpkins

Inmate Work Assignment: None

I write to create a record of verbal conversations I had with Ms. Hill and Mr. Simpkins yesterday, subsequent to the email I wrote about documents missing from my cell after the shakedown.

Prior to either of you having seen that email, I asked Ms. Hill about the missing documents at mail call. She told me I had to speak to Mr. Simpkins, but that anything taken from my cell would be inventoried on a document, and in with my property. She indicated in the direction of the SHU, which I took to mean the property was stored back there.

Subsequently, Mr. Simpkins retrieved books which were taken from my cell, which he allowed me to inspect and gave me the option of sending home or donating to the institution. No documents or any other property besides the books was present. I asked Mr. Simpkins about this, and he indicated he had no answer for me about the documents.

After this, I made further effort to determine what had been taken. I discovered newspaper clippings, articles which I had hoped to preserve, had been removed from my accordian file.

I have thousands of pages of documents, which range from legal documents covering criminal and civil cases in New Hampshire and Virginia, my own personal notes, letters, contact information, etc... The only way I can keep track of it is to keep it stacked in chronological order and subject. When my papers are disturbed, as a shakedown necessarily does, this is trouble enough, but when documents are selectively and without any rhyme or reason removed without notification or explanation or record, it makes it absolutely impossible for me to keep track of these documents.

Considering that the CMU has interfered with my litigation by

*Depriving me of access to vital documents

*Communicated with Plaintiffs' counsel off the record with the explicit purpose of keeping documents from me

*Refused to sell me a typing wheel until I escalated my Administrative Remedy to the Warden

*Kept the discovery computer off the unit until I escalated an Administrative Remedy

*Prohibiting me from speaking to the media

*Prohibiting me from taking my documents with me to court

*Withholding communications from the Court from me until after the deadline those documents described expired

*Explicitly saying "We're not helping you with the civil case"

*Etc...

It is difficult to interpret the unexplained destruction of my documents as anything other than more unlawful interference in my high profile, politically charged litigation which President Joseph R. Biden said in his first campaign ad was the reason he ran for President.

Marion USP

MAIN

ACCOUNT No. 00991509

TF10114

CANTWELL, CHRISTOPHER

07/18/22 Time 09:28:27

TX ID 4527280

Receipt# 102

BEGINNING BALANCES:

Available Balance is N/A

Spending Limit Balance is N/A

Account Balance is \$257.55

QTY	DESCRIPTION	PRICE
2	***JALAPENO JACK CHEESE	\$4.10
1	DEGREE EXTREME BLAST	\$2.95
1	FLOSS PICKS	\$1.80
1	FRENCH VANILLA COFFEE MATE	\$4.55
1	MASSEY 8" CLEAR FAN	\$30.70
3	MAXWELL HOUSE	\$10.35
2	ONION RINGS	\$3.10
4	REAL TREE LEMMON JUICE	\$4.00
1	TYPEWRITER WHEEL	\$23.75
# ITEMS SOLD: 16		
CHARGE 00991509		\$85.30

ENDING BALANCES:

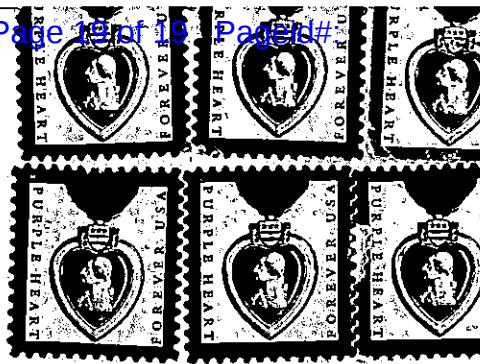
Available Balance is N/A

Spending Limit Balance is N/A

Account Balance is \$172.25

Signature

Christopher Cantwell
Inmate #00991-509
USP Marion
4500 Prison Rd
P.O. Box 2000
Marion, IL 62959



↔00991-509↔
Clerk Us District Court
Western District Virginia
255 W MAIN ST
Room 304
Charlottesville, VA 22902
United States